

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ATTICUS MANAGEMENT LLC

Plaintiff,

-against-

ATTICUS INVESTMENTS LLC,
CRESCENT FUND, LLC, JEFFERY STONE
and JANETTE DILLER STONE

Defendants.

Civil Action No. 07-CV-9730 (RPP)

DECLARATION OF
CATHERINE HARKNESS

CATHERINE HARKNESS, a private investigator, declares as follows:

I am a registered private investigator employed by I.R.I.S. LLC, a fully licensed, bonded investigative agency and as such am fully familiar with all of the facts and circumstances hereinafter stated. I submit this declaration in support of Atticus Management LLC's Application for Order Authorizing Alternate Service of Summons and Complaint upon Defendant Jeffery Stone, pursuant to Fed. R. Civ. P. 4 (f)(3).

1) On or about July 27, 2007 traditional in house computer searches as well as on site public record searches were conducted to positively identify and locate the subject(s) which confirm the listed residential address of 382 Davis Avenue, Greenwich, CT as being the most current.

2) On or about July 31, 2007 aerial surveillance imagery of the Davis Avenue location revealed evidence of a large, yellow Hummer parked at the address which was found to be associated with the subjects through research conducted at the State of Connecticut Department of Motor Vehicles on July 31, 2007.

3) On November 13, 2007 Surveillance was initiated at the Davis Avenue location during the early morning, weekday hours and ultimately resulted in successful, in hand service of the summons and complaint for both Jeffery Stone and Janette Diller Stone that had been wrapped together in decorative paper and given to a female fitting the description and believed to be Janette Diller-Stone. I provided a sworn Affidavit of Service on Janette Diller Stone to Investigator Francis Gray.

4) On or about November 29, 2007 further background investigation via the internet produced color photos of Janette Diller-Stone that I was allowed to view without being told the identify or nature of the request to which I was able to positively identify the female depicted in the photo as the same female I made service upon at the Davis Avenue location.


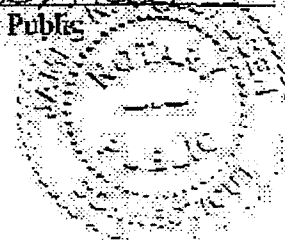
5) On or about December 12, 2007 additional photographs of Janette Diller Stone were discovered and I was allowed to view using the same blind method to which each time I positively identified the female depicted in the photos as being the same female I made service on.

6) All additional subsequent due diligence efforts in collaboration with Investigator Gray were performed in an attempt to determine whether the female encountered at Davis Avenue on November 13, 2007 was Janette Diller Stone and have been exhausted. Thus she cannot be rule out at this time.

Dated: Hartford, Connecticut
March, 3, 2008


CATHERINE HARKNESS

Sworn to before me this 3rd
day of March 2008


Notary Public


693579

James N. Oulundson
Notary Public
State of Connecticut
My Commission Expires
3/31/2008